

**FISCAL NOTE**  
**HB 34 - SB 1569**

February 21, 2003

**SUMMARY OF BILL:** Broadens the scope of the child endangerment law where a child, in the vehicle with a person convicted of driving under the influence, is under the age of 16 years, instead of under the age of 13 years. This offense is punished as a Class A misdemeanor and the bill increases the mandatory minimum incarceration period for child endangerment offenders from 30 days to 11 months and 29 days. The change in age limits will also apply to the offenses of aggravated child endangerment, a Class D felony and especially aggravated child endangerment, a Class C felony.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$12,400/Incarceration\***

**Increase Local Govt. Expenditures\*\*- \$2,939,200**

Assumes 200 offenders convicted of Class A misdemeanor child endangerment will serve a minimum mandatory sentence of 11 months and 29 days rather than 30 days. The estimate also assumes one additional Class D felony conviction and one additional Class C felony conviction every other year due to increase the age limits of the child from 13 years to 16 years.

*\*Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

*\*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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